

REMARKS

Prior to entry of this amendment, claims 1-10, 13, 15, 16 and 18-24 are pending in the subject application. Claims 1, 7 and 13 are independent.

By the instant amendment, claim 1 is amended and new claim 25 is added, as supported at least by paragraphs [0051]-[0052] and [0054] of the original specification as filed and original claim 5. No new matter is added.

Applicants respectfully request, in connection with the next Office action, that the Examiner indicate the acceptability of the drawings filed on January 26, 2004.

A. Introduction

In the outstanding office action,

- (a) claims 1-4, 6, 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan Patent Abstract No. 2001-138272 to Jinichi (“the Jinichi reference”) in view of U.S. Patent Application Publication No. 2003/0114960 to Takenaka et al. (“the Takenaka et al. reference”) and in further view of “Mechanism and Control of a Leg-Wheel Hybrid Mobile Robot,” Proceedings of the 1999 IEE/RSJ, 1999 IEEE to Adachi et al. (“the Adachi et al. reference”);
- (b) claims 7-10, 13, 15, 16 and 18-22 were allowed; and
- (c) claim 5 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

B. Asserted Obviousness Rejection of Claims 1-4, 6, 23 and 24

In the outstanding Office action, claims 1-4, 6, 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jinichi reference in view of the Takenaka et

al. reference and further in view of the Adachi et al. reference. Applicants respectfully traverse this rejection for at least the reasons set forth below.

Independent claim 1 has been amended to recite that at an ambulatory robot includes, *inter alia*, a control means,

the control means being configured to vary the speed of motion of the two or more legs between at least three different values based on the slope of the floor, and

wherein the control means controls the motion of the ambulatory robot so that the positional displacement of the ambulatory robot is performed by any of running, walking and sliding, depending on the controlled speed of revolution and on the set value of the speed of motion of the two or more legs.

Applicants respectfully submit that the cited reference, whether alone or in combination, fail to disclose or even remotely suggest an ambulatory robot as currently recited in claim 1. In particular, applicants respectfully submit that none of the cited references teaches or even remotely suggests varying the speed of motion of the two or more legs between at least three different values based on the slope of the floor to perform running, walking, or sliding, as currently recited in claim 1.

In view of the above, applicants respectfully submit that the claim 1 is allowable over the cited references. Claims 2-4, 6, 23 and 24 depend from claim 1, and therefore, are allowable for at least the same reasons as claim 1 is allowable. Therefore, applicants respectfully request favorable reconsideration and withdrawal of the rejection of claims 1-4, 6, 23 and 24 under 35 U.S.C. § 103(a).

C. Allowable Subject Matter

Applicants appreciate the Examiner's allowance of claims 7-10, 13, 15, 16 and 18-22 and indication of allowable subject matter in claim 5. It is respectfully submitted, however, that all of the pending claims are in condition for allowance for at least the reasons set forth above.

D. New Claim 25

Claim 25 is added by the instant amendment, as supported at least by original claim 5.
No new matter is added. Applicants respectfully request entry and examination of claim 25.

E. Conclusion

The above remarks demonstrate the failings of the outstanding rejections, and are sufficient to overcome them. However, while these remarks may refer to particular claim elements, they are not intended to, nor need they, comprehensively address each and every reason for the patentability of the claimed subject matter over the applied art. Accordingly, applicants respectfully submit that the claims are allowable for reasons including, but not limited to, those set forth above, and patentability of the claims does not depend solely on the particular claim elements discussed above.

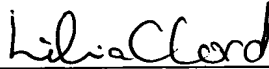
If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

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